



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

Agency: Washington Horse Racing Commission

- ☒ **Preproposal Statement of Inquiry** was filed as WSR 09-11-120; or
☐ **Expedited Rule Making--Proposed notice** was filed as WSR _____; or
☐ **Proposal is exempt under RCW 34.05.310(4).**

- ☒ **Original Notice**
☐ **Supplemental Notice to WSR** _____
☐ **Continuance of WSR** _____

Title of rule and other identifying information: (Describe Subject) WAC 260-36-085 License and fingerprint fees.

Hearing location(s):
Auburn City Council Chambers
25 W. Main
Auburn, WA 98002

Date: October 8, 2009 Time: 9:30 a.m.

Date of intended adoption: October 8, 2009
(Note: This is **NOT** the **effective** date)

Submit written comments to:

Name: Robert J. Lopez
Address: 6326 Martin Way, Suite 209
Olympia, WA 98516-5578
e-mail rlopez@whrc.state.wa.us
fax (360)459-6461 by (date) October 1, 2009

Assistance for persons with disabilities: Contact

Patty Sorby _____ by October 1, 2009

TTY (360) 459-6462 or () _____

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The purpose of the proposal is to increase license and fingerprint fees to cover the cost to administer the licensing program.

Reasons supporting proposal: The WHRC is required to collect license fees sufficient to cover the cost of the licensing program (RCW 67.16.020(1)). License fees were last increased in January 2008. In 2009 the legislature passed WSHB 1244 which authorized the WHRC to increase license and fingerprint fees as necessary to support the agency's appropriation.

Statutory authority for adoption: RCW 67.16.020

Statute being implemented:

Is rule necessary because of a:

- Federal Law? ☐ Yes ☒ No
Federal Court Decision? ☐ Yes ☒ No
State Court Decision? ☐ Yes ☒ No
If yes, CITATION:

DATE August 7, 2009

NAME (type or print)
Robert J. Lopez

SIGNATURE

TITLE Executive Secretary

CODE REVISER USE ONLY

**OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED**

DATE: August 07, 2009

TIME: 1:25 PM

WSR 09-17-027

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None

Name of proponent: (person or organization) Washington Horse Racing Commission

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Robert J. Lopez	6326 Martin Way, Suite 209 Olympia, WA 98516-5578	(360) 459-6462
Implementation.... Robert J. Lopez	6326 Martin Way, Suite 209 Olympia, WA 98516-5578	(360) 459-6462
Enforcement..... Robert J. Lopez	6326 Martin Way, Suite 209 Olympia, WA 98516-5578	(360) 459-6462

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No. Explain why no statement was prepared. Not applicable

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No: Please explain: Not applicable

AMENDATORY SECTION (Amending WSR 08-05-087, filed 2/15/08, effective 3/17/08)

WAC 260-36-085 License and fingerprint fees. The following are the license fees for any person actively participating in racing activities:

Apprentice jockey	\$((76.00)) <u>80.00</u>
Assistant trainer	\$((36.00)) <u>38.00</u>
Association employee--management	\$((25.00)) <u>26.00</u>
Association employee--hourly/seasonal	\$((15.00)) <u>16.00</u>
Association volunteer nonpaid	No fee
Authorized agent	\$((25.00)) <u>26.00</u>
Clocker	\$((25.00)) <u>26.00</u>
Exercise rider	\$((76.00)) <u>80.00</u>
Groom	\$((25.00)) <u>26.00</u>
Honorary licensee	\$((15.00)) <u>16.00</u>
Jockey agent	\$((76.00)) <u>80.00</u>
Jockey	\$((76.00)) <u>80.00</u>
Other	\$((25.00)) <u>26.00</u>
Owner	\$((76.00)) <u>80.00</u>
Pony rider	\$((76.00)) <u>80.00</u>
Service employee	\$((25.00)) <u>26.00</u>
Spouse groom	\$((25.00)) <u>26.00</u>
Stable license	\$((47.00)) <u>49.00</u>
Trainer	\$((76.00)) <u>80.00</u>
Vendor	\$((116.00)) <u>122.00</u>

The license fee for multiple licenses may not exceed ~~\$((116.00))~~ 122.00, except persons applying for owner, veterinarian or vendor license must pay the license fee established for each of these licenses.

The following are examples of how this section applies:

Example one - A person applies for the following licenses: Trainer (~~\$((76.00))~~ 80.00), exercise rider (~~\$((76.00))~~ 80.00), and pony rider (~~\$((76.00))~~ 80.00). The total license fee for these multiple licenses would only be ~~\$((116.00))~~ 122.00.

Example two - A person applies for the following licenses: Owner (~~\$((76.00))~~ 80.00), trainer (~~\$((76.00))~~ 80.00) and exercise rider (~~\$((76.00))~~ 80.00). The total cost of the trainer and exercise rider license would be ~~\$((116.00))~~ 122.00. The cost of the owner license (~~\$((76.00))~~ 80.00) would be added to the maximum cost of multiple licenses (~~\$((116.00))~~ 122.00) for a total license fee of ~~\$((192.00))~~ 202.00.

Example three - A person applies for the following licenses: Owner (~~\$((76.00))~~ 80.00), vendor (~~\$((116.00))~~ 122.00), and exercise rider (~~\$((76.00))~~ 80.00). The license fees for owner (~~\$((76.00))~~ 80.00) and vendor (~~\$((116.00))~~ 122.00) are both added to the license fee for exercise rider (~~\$((76.00))~~ 80.00) for a total license fee of ~~\$((268.00))~~ 282.00.

In addition to the above fees, except for association volunteers (nonpaid) at Class C race meets, a ~~\$((10.00))~~ 11.00 fee will be added to cover the costs of conducting a fingerprint-based background check. The background check fee will be assessed only once annually per person regardless of whether the person applies for more than one type of license in that year.

The commission will review license and fingerprint fees annually to determine if they need to be adjusted to comply with RCW 67.16.020.